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party after the bar of the statute has arisen, an interesting question arises. It is held that if the land was acquired after the bar had arisen and before the debt had been revived the third party takes free of the mortgage. *Schmucker v. Sibert*, 18 Kan. 104; *Plant v. Shyrook*, 62 Miss. 821; *Cason v. Chambers*, 62 Tex. 305. But if the purchase were not made till after the revival of the debt, the purchaser takes subject to the mortgage. *Carson v. Cochran*, 52 Minn. 57. It is also held that the mortgage will not revive with the debt when the debtor denies at the time of making the new promise or payment that it is his intention that the mortgage shall revive. *Perkins v. Sterne*, 23 Tex. 561.

SUNDAY—JUDICIAL PROCEEDINGS—RECEIVING AND RECORDING VERDICT—IN RE PLEASANT HILL LUMBER COMPANY, 52 So. 1010 (LA.).—*Held*, that a verdict may be lawfully received and recorded on a Sunday or other legal holiday.

At common law, *Dies dominicus non est dies juridicus*, and therefore a judgment rendered on Sunday was void. *Allen v. Godfrey*, 44 N. Y. 433; *Blood v. Bates*, 31 Vt. 147; *Pearce v. Atwood*, 13 Mass. 324. And as a general rule judicial acts done on Sunday are void, writs issued or service rendered on that day being invalid. *Peck v. Cavell*, 16 Mich. 9; *Hanswirth v. Sullivan*, 6 Mont. 203. But upon the ground that it is a work of necessity, it is generally held that the verdict of a jury may be entered and received on Sunday. *Webber v. Merrill*, 34 N. H. 202; *Stone v. Bird*, 16 Kan. 494; *State v. Engle*, 13 Ohio 490. A few states, however, hold to the contrary and a verdict received on the Sabbath day is void. *Bass v. Irvin*, 49 Ga. 436; *Davis v. Fish*, 19 Greene (Iowa) 406. A later case in Georgia modifies this rule greatly, holding that if the deliberations of the jury were commenced before midnight of Saturday a verdict may lawfully be received on Sunday. *Henderson v. Reynolds*, 84 Ga. 159.

TOWNS—LIABILITY—TORT OF OFFICER.—*HOEK v. ALLENDALE TP.*, 126 N. W. 987 (MICH.).—*Held*, that a township is not liable for any tort of its highway commissioner in directing plaintiff to work as a highway land planted by a third person; so that there can be implied no obligation of the township to reimburse plaintiff for the consequence of any unwitting trespass so committed by him at the commissioner's command.

Towns as distinguished from municipal corporations are subject to such duties and liabilities as are expressly, or by necessary implication, imposed upon them by the legislature, to effect the purpose of their creation. *Lovejoy v. Foxcroft*, 91 Me. 367. Hence, when a public officer, in the line of his duty, does public work within a town for the public benefit or use, the town is not liable for his misconduct, notwithstanding he is appointed and supplied with funds by such town. *Goddard v. Harpsnell*, 84 Me. 499. The rule is also well settled that local health officers acting under general statutes of the State conferring their powers, are not performing corporate functions, but are representatives of the State and that the municipality is not liable for the acts of such boards